

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

EMMANUEL ADEYINKA,

Case No. 3:23-cv-00516-YY

Plaintiff,

ORDER

v.

NORCOR CORRECTIONS,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge You issued a Findings and Recommendation on June 26, 2023, in which she recommends that this Court dismiss without prejudice Plaintiff's complaint for failure to state a claim. F&R, ECF 16. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff filed timely objections to the Magistrate Judge's Findings and Recommendation. Pl. Obj., ECF 18. When any party objects to any portion of the Magistrate Judge's Findings and

Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

The Court has carefully considered Plaintiff's objections and concludes that there is no basis to modify the Findings and Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge You's Findings and Recommendation [16]. Therefore, Plaintiff's Third Amended Complaint is dismissed without prejudice.

IT IS SO ORDERED.

DATED: August 31, 2023.



MARCO A. HERNÁNDEZ
United States District Judge